IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1004 OF 2006
IN
SUIT NO.3376 OF 2003

Fazlur Rehman Habib Khan ..Plaintiff

Versus

Iqbal Hussain Habib Khan & Ors. ..Defendants

And

Iqbal Hussain Habib Khan & Ors ..Respondents

Mr.U.V.Singh for the plaintiff.

Mr.S.A.Sawant for defendant no.4.

Mr.D.R.Tiwari for defendant no.2.

Mr.H.V.Kode for defendant no.1.

Coram : R.S.Mohite,J

Date : 19.09.2006.

PC

1. Heard. This is a Chamber summons taken out by the original plaintiff for bringing the heirs of defendant no.3 on record. According to the plaintiff the respondents in the Chamber summons are heirs of defendant no.3. As regards this prayer, the Advocate for defendant no.4 points out that there are some other heirs as mentioned in paragraph-2 of his reply. Advocate for the plaintiff states that those additional heirs are not necessary and he would not like to add them as party defendants. He also states that he is not pressing

prayer clause-(c) of the Chamber summons which pertains to deleting defendant nos.4 & 5. In the circumstances, delay in taking out Chamber summons is condoned and the Chamber summons is made absolute in terms of prayer clause-(a). Chamber summons stands disposed off.

(R.S.Mohite,J)